

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

RICHARD PATRICK,

Plaintiff,

v.

Case No. 2:19-cv-11355

Hon. Denise Page Hood

COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

\_\_\_\_\_ /

**ORDER ACCEPTING REPORT AND RECOMMENDATION [#26]  
and GRANTING PLAINTIFF'S COUNSEL'S MOTION  
FOR ATTORNEY FEES [#23]**

This matter comes before the Court on Magistrate Judge Patricia T. Morris's Report and Recommendation. [ECF No. 26] Plaintiff's counsel recently filed a motion for an award of attorney fees under 42 U.S.C. § 406(b) [ECF No. 23]. In the Report and Recommendation, the Magistrate Judge recommended that the motion be granted in the amount of \$8,966.00. Neither party filed any objections to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has

raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above,

**IT IS ORDERED** that the Report and Recommendation [ECF No. 26, filed July 12, 2022] is **ADOPTED** as this Court's findings of fact and conclusions of law.

**IT IS FURTHER ORDERED** that Plaintiff Counsel's Motion for Award of Attorney Fees [ECF No. 23, filed March 28, 2022] is **GRANTED**.

**IT IS FURTHER ORDERED** that that attorney fees be awarded to Plaintiff's counsel in the amount of \$8,966.00, payable from the past due benefits that were withheld.

**IT IS FURTHER ORDERED** that the previously awarded EAJA fees in the amount of \$3,962.00 be refunded to Plaintiff .

IT IS SO ORDRED.

Dated: August 5, 2022

s/Denise Page Hood

DENISE PAGE HOOD

United States District Judge